

**REMARKS**

Claims 1-14 are pending in the present application.

**35 U.S.C. § 102(e) Rejection**

Claims 1-5, 8-9 and 11-14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Humpleman et al. (U.S. Patent No. 6,182,094). This rejection is respectfully traversed.

Previously, Applicants argued that Humpleman et al. does not teach or suggest, *inter alia*, the feature of receiving and displaying the second menu image from the selected external device where the second menu image is displayed without performing an additional image construction process, as required by independent claims 1 and 9. In response, the Examiner maintains his position and points to column 13<sup>1</sup>, lines 37-38 in Humpleman et al.

Humpleman et al. at column 13, lines 37-38 merely discloses that the selected external device's home page is displayed when the user selects a particular home device button 406. It does not specify where and how such a home page is displayed. But, at column 6, lines 37-47, Humpleman et al. discloses that displays associated with each home device are supplied to the session manager in HTML files which are ASCII text files. As such, the DTV 102 acting as a client must be a browser-based DTV to interpret the HTML files and to construct images/displays based on the HTML files.

In contrast, in Applicants' invention, an external device such as a DVD player 200 or a digital VCR 300 transmits a menu image to the digital television 100 such that the image can be displayed on the digital television directly without performing an additional image construction process. This

---

<sup>1</sup> Although the final Office Action at page 8, paragraph 20 (1) identifies column 3, lines 37-38 of Humpleman et al., it is believed that this is a typographical error and the Examiner is intended to cite column 13, lines 37-38 of Humpleman et al. instead. Thus, Applicants' response to the Examiner's comments is based on this assumption.

simplifies the system since in Applicants' invention, a browser-based digital TV is not needed to display the second menu image received from the selected external device.

Therefore, Humpleman et al. does not anticipate, *inter alia*:

requesting a second menu image from the selected external device, the second menu image . . . associated with operations of the selected external device . . .

receiving the second menu image from the selected external device and displaying the second menu image, the second menu image being displayed without performing an additional image construction process

as recited in independent claim 1; and

requesting a second menu image from the external device, the second menu image . . . associated with an operation of the external device . . .

receiving the second menu image from the external device and displaying the second menu image, the second menu image being displayed without performing an additional image construction process

as recited in independent claim 9.

Accordingly, the invention as recited in independent claims 1 and 9 and their dependent claims (due to their dependency) is patentable over Humbleman et al., and the rejection should be withdrawn.

### **35 U.S.C. § 103 Rejection**

Claims 6-7 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Humpleman et al. in view of Kim (U.S. Patent No. 6,133,911). This rejection is respectfully traversed.

As discussed above, Humpleman et al. does not teach or suggest at least the above-noted features recited in independent claims 1 and 9 from which

claims 6-7 and 10 depend. Kim also does not overcome this deficiency of Humpleman et al.

Therefore, even if the references are combinable, assuming *arguendo*, the combination of references does not teach or suggest the invention as recited in claims 1 and 9 and claims 6-7 and 10. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

### **CONCLUSION**

For the foregoing reasons and in view of the above clarifying amendments, Applicants respectfully request the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicit an early issuance of a Notice of Allowance.

Since the above amendment to claim 9 correct a minor informality, entry of the present Amendment is deemed proper and requested.

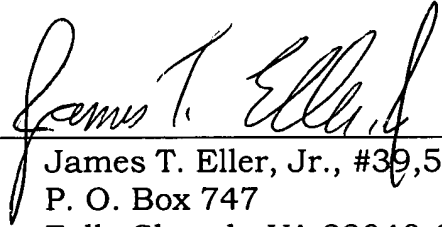
Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James T. Eller, Jr., #39,538  
P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

<sup>lw</sup>  
JTE/EHC:lmh:mlr